

# BEARD WINTER LLP

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**David J. Wilson**

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REFER TO FILE: 93269-1

December 19, 2007

**Delivered Via Facsimile and Email**  
**206.359.9000 / [JCutler@perkinscoie.com](mailto:JCutler@perkinscoie.com)**

Perkins Coie LLP  
1201 Third Avenue  
Suite 4800  
Seattle, Washington  
98101-3099  
United States of America

Attention: Mr. Joseph Cutler

Dear Mr. Cutler:

**Re: Facebook, Inc. v. Brian Fabian et al, United States District Court,  
Northern District of California, San Jose Division, Case No. C-07-03404  
HRL**

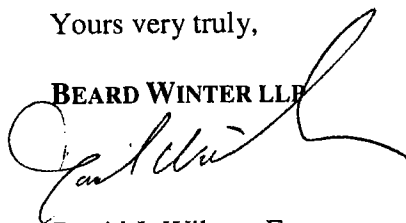
We are the Canadian barristers and solicitors for 1564476 Ontario Limited, Istra Holdings Inc., Brian Fabian, Josh Raskin and Ming Wu who are named as Defendants in the above referenced action. Please note that Mr. Wu, Mr. Raskin and Mr. Fabian are employees of 1564476 Ontario Limited.

We have been provided with a copy of the Complaint. We shall review the particulars of the Complaint with our clients. Following our review of the Complaint and the facts, the undersigned will contact you directly to arrange a conference call to discuss this matter. In the interim, we trust that your client will act in a prudent and reasonable manner while we embark upon the process of retaining U.S. counsel.

Finally, we would request that you please detail the exact provisions of the Computer Fraud and Abuse Act, 18 U.S.C. § 1030 and the California Comprehensive Computer Data Access and Fraud Act, California Penal Code § 502 (C) the Plaintiff is relying upon in the Complaint with full particulars. Moreover, please provide full particulars of the \$5000 in damages claimed in the Complaint by your client.

**Exhibit A**

Yours very truly,

**BEARD WINTER LLP**  


David J. Wilson, Esq.

DJW/vp

cc.

Perkins Coie LLP  
Four Embarcadero Center  
Suite 2400  
San Francisco, California  
94111-4131  
United States of America

Attention: Mr. David P. Chiappetta - via email - [DChiappetta@perkinscoie.com](mailto:DChiappetta@perkinscoie.com)

Perkins Coie LLP  
1201 Third Avenue  
Suite 4800  
Seattle, Washington  
98101-3099  
United States of America

Attention: Mr. James McCullagh - via email - [JMcCullagh@perkinscoie.com](mailto:JMcCullagh@perkinscoie.com)

1564476 Ontario Limited

Istra Holdings Inc.

Mr. Brian Fabian

Mr. Ming Wu

Mr. Josh Raskin

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**From:** David J Wilson [djwilson@beardwinter.com]  
**Sent:** Monday, December 24, 2007 6:51 AM  
**To:** McCullagh, James R. (Perkins Coie)  
**Cc:** Cutler, Joseph P. (Perkins Coie); Walsh, Maryellen (Perkins Coie); Richard I. R. Winter, Q.C.; dfoulds@davis.ca  
**Subject:** RE: Facebook v. Fabian et al.  
**Attachments:** David J Wilson.vcf

Jim,

Thank you for your email of December 21, 2007 with attachments.

Please be advised that Mr. Raskin is represented by Mr. David Foulds at Davies LLP. This is his contact information. Please contact Mr. Foulds directly regarding all matters related to Mr. Raskin.

*1 First Canadian Place, Suite 5600  
P.O. Box 367, 100 King Street West  
Toronto, ON, Canada  
M5X 1E2  
Telephone 416.365.3500*

We have reviewed the stipulation re: case management and the order. We cannot sign the document simply on account of the fact that we are not qualified to practice law in the State of California. As noted in my earlier correspondence with you, we are in the process of obtaining counsel in the State of California to assist in this matter and will advise you when we have retained California counsel.

Please also be advised that December 26 is a statutory holiday in Canada and that Canadian business is effectively shut down between today and January 2, 2008.

Regards,  
David

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DAVID J. WILSON

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12/26/2007

Exhibit B

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**From:** McCullagh, James R. (Perkins Coie) [mailto:JMcCullagh@perkinscoie.com]  
**Sent:** Friday, December 21, 2007 2:04 PM  
**To:** David J Wilson  
**Cc:** Cutler, Joseph P. (Perkins Coie); Walsh, Maryellen (Perkins Coie)  
**Subject:** FW: Facebook v. Fabian et al.

Dear Mr. Wilson,

We understand from your letter dated December 19, 2007 that you represent 1564476 Ontario Limited, Istra Holdings Inc., Brain Fabian, Josh Raskin and Ming Wu, and that you are in the process of reviewing the complaint filed by Facebook in the Northern District of California naming your clients as defendants. The current court-imposed date for the case management conference is January 8, 2008, which makes the parties joint report to the court due on December 26, 2007. In light of the recent service of defendants we would like to present the court with a stipulation to extend the deadlines to permit the parties time to comply with the applicable rules.

We have enclosed a draft stipulation for your review and comment, as well as a copy of the order establishing January 8, 2008 for the Case Management Conference. I apologize for the short notice, but would appreciate your response by the morning of Wednesday, December 26, 2007.

Best regards,

Jim

**Jim McCullagh | Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
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<<9-28-07 Order granting leave to take disc on Look Communication and Rogers Cable.PDF>> <<Stipulation re Initial Discovery Dates.DOC>>

12/26/2007

Exhibit B